

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DANIEL KNEPPER	:	
v.	:	1:09-cv-02069-JEJ
RITE AID CORPORATION, <i>et al.</i>	:	
	:	
JAMES FISHER	:	1:10-cv-01865-JEJ
v.	:	
RITE AID CORPORATION, <i>et al.</i>	:	
	:	
RENE HOUGH	:	1:11-cv-02212-JEJ-MCC
v.	:	
THRIFTY PAYLESS, INC., <i>et al.</i>	:	
	:	
ROBIN MAZZANTINI	:	1:11-cv-02324-JEJ
v.	:	
RITE AID CORPORATION, <i>et al.</i>	:	
	:	

**JOINT MOTION TO CONSOLIDATE
FOR PURPOSES OF DISCOVERY**

Plaintiffs and Defendants in the four above-captioned actions respectfully request, pursuant to Federal Rule of Civil Procedure 41(a), that the Court enter the accompanying proposed order (i) consolidating the actions for purposes of discovery and (ii) requiring the parties to submit a proposed case management plan for the consolidated actions. As the Court knows, these four actions involve Rule 23 class action claims alleging that Rite Aid Assistant Branch Managers have been denied overtime pay in violation of Ohio (*Knepper*), Maryland (*Fisher*),

Washington (*Hough*), and Massachusetts (*Mazzantini*) law. In the wake of the Third Circuit's recent decision in *Knepper v. Rite Aid Corp.*, __ F.3d __, 2012 U.S. Dist. LEXIS 6216 (3d Cir. 2012), the four cases are poised to proceed to discovery.

The parties agree that efficiencies will be gained by consolidating the four actions for the purposes of discovery due to, *inter alia*, the overlapping nature of "corporate" evidence sought by plaintiffs and the likelihood that future discovery disputes and rulings will impact all four cases. As such, consolidation for purposes of discovery appears to be warranted.

WHEREFORE, the parties respectfully request that the Court grant this motion and enter the accompanying proposed order.

Dated: April 18, 2012

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